

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

P. DALE DESKINS,

Plaintiff,

vs.

ASSOCIATED CREDIT SERVICES,
INC., et al.,

Defendants.

No. CV-08-049-LRS

**ORDER DIRECTING
SERVICE ON DEFENDANT
WASSON**

It appears personal service upon all of the Defendants, with the exception of Defendant Paul J. Wasson, has been accomplished by the U.S. Marshal Service. (Ct. Rec. 26 and 27).¹ The unexecuted return of service for Wasson (Ct. Rec. 27) indicates there were two unsuccessful attempts of personal service at a residential address on May 29 and 30, and one unsuccessful attempt at a place of business on May 30. Apparently, at the place of business, the U.S. Marshal Service was advised that Wasson was out of town, but would be returning on June 2.

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¹ With the exception of Wasson, counsel has appeared on behalf of all of the other named Defendants and has filed an answer on their behalf “without waiving any objections, rights and defenses relating to jurisdiction and process.” (Ct. Rec. 24).

1 Accordingly, the court hereby **DIRECTS** the U.S. Marshal Service to make
2 another attempt of personal service on Wasson at either his residence or his place
3 of business. Wasson must be personally served, unless it is possible to leave a
4 copy of the summons and complaint at the house of his usual abode with some
5 person of suitable age and discretion then resident therein. RCW 4.28.080(15) and
6 Fed. R. Civ. P. 4(e)(2)(A) and (B). Thus, unless Defendant is served personally at
7 his place of business, the summons and complaint cannot be left with someone
8 else there because the place of his business does not qualify as "the house of his
9 usual abode."

10 If personal service cannot be accomplished upon Wasson as set forth above,
11 the court will consider alternative means of service as authorized by law.
12 Furthermore, at an appropriate time, all of the Defendants will be required to show
13 cause why they should not be ordered to pay the costs of service incurred by the
14 United States Marshal for their failure to waive service of summons as initially
15 requested by the United States Marshal.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter
17 this order and forward a copy to the Plaintiff, counsel of record, and to the United
18 States Marshal Service for the Eastern District of Washington.

19 **DATED** this 11th day of June, 2008.

20 *s/Lonny R. Suko*

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22 LONNY R. SUKO
23 United States District Judge
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